

**REMARKS**

Claims 1-42, 46, 49-55, 59 – 67, 72, 73, 75 - 77, 83 and 90 - 93 are pending in this application, of which claims 1 – 40, 50, 51, 60 - 67, 72 and 73 have been withdrawn from consideration. By this Amendment claims 41, 42, 46, 52 - 54, 75-77, 83 and 90-93 have been amended. No new matter has been added. It is respectfully submitted that this Amendment is fully responsive to the Office Action dated April 13, 2004.

**Claim Objection:**

Claim 52 stands objected to in the Action due to a minor informality. However, claim 52 has been amended to correct such informality. As such, withdrawal of this objection is respectfully requested.

**35 U.S.C. §112, Second Paragraph Rejection:**

Claims 92 and 93 stand rejected under 35 U.S.C. §112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

This rejection is respectfully traversed.

Each of claims 92 and 93 has been amended to overcome this rejection. Accordingly, withdrawal of this rejection is respectfully requested.

**As to the Merits:**

As to the merits of this case, the Examiner sets forth the following rejection:

claims 41, 42, 46, 52-55, 59, 75-77, 85 and 90 - 93 stand rejected under 35 U.S.C. §102(e) as being anticipated by Takahashi (U.S. Patent No. 5,892,573).

This rejection is respectfully traversed.

Takahashi shows an arrangement in which transmittance of a projection optical system is obtained based on an output signal from a light quantity detector provided in an illumination optical system and an output signal from a light quantity detector provided on a wafer stage. However, Takahashi does not teach the steps of determining a function of attenuation in transmittance of a projection optical system and a function of attenuation recovery and the use of both functions, as clearly recited in the independent claims as amended.

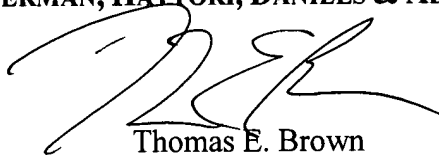
In view of the aforementioned amendments and accompanying remarks, Applicant submits that that the claims, as herein amended, are in condition for allowance. Applicant requests such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney to arrange for an interview to expedite the disposition of this case.

Attorney Docket No. **991482A**  
Serial No. **10/042,345**

If this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,  
**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**

A handwritten signature in black ink, appearing to read 'TEB', is written over the firm name.

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